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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-513

13 **CHRISTYNA MARIE CHAVARIN**
14 **aka ANGELLA LYNN CHAVARRIN**
15 **aka ANGELA THOMAS**
16 **aka CHRISTYNA MARIE BROWN**
17 **P. O. Box 409**
18 **Garden Valley, CA 95633**

A C C U S A T I O N

19 **Registered Nurse License No. 635955**

20 Respondent.

21 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

22 **PARTIES**

23 1. Complainant brings this Accusation solely in her official capacity as the Executive
24 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

25 2. On or about April 9, 2004, the Board issued Registered Nurse License Number
26 635955 to Christyna Marie Chavarin, also known as Angella Lynn Chavarrin, Angela Thomas,
27 and Christyna Marie Brown ("Respondent"). The license was in full force and effect at all times
28 relevant to the charges brought herein. The license expired on December 31, 2009, and has not
been renewed.

JURISDICTION

3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811(b), the Board may renew an expired license at any time within eight years after the expiration.

STATUTORY PROVISIONS

5. Code section 2761(a) states, in pertinent part, that the Board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for unprofessional conduct.

6. Code section 2762 states:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

(b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.

COST RECOVERY

7. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

1 **DRUGS**

2 8. "Methamphetamine" is a Schedule II controlled substance as designated by Health
3 and Safety Code section 11055, subdivision (d)(2), and a dangerous drug within the meaning of
4 Code section 4022.

5 **FIRST CAUSE FOR DISCIPLINE**

6 **(Possessed and Self-Administered a Controlled Substance)**

7 9. Respondent is subject to discipline under Code section 2761(a), on the grounds
8 of unprofessional conduct as defined in Code section 2762(a), in that on or about
9 December 20, 2009, and January 25, 2010, while a licensed registered nurse, Respondent did the
10 following:

11 a. Respondent possessed Methamphetamine, a controlled substance, in violation of
12 Code section 4060, in that she did not have a prescription for that controlled substance.

13 b. Respondent self-administered Methamphetamine, a controlled substance, without
14 direction to do so from a licensed physician and surgeon, dentist or podiatrist.

15 **SECOND CAUSE FOR DISCIPLINE**

16 **(Use of a Controlled Substance)**

17 10. Respondent is subject to discipline under Code section 2761(a), on the grounds
18 of unprofessional conduct as defined in Code section 2762(b), in that on or about
19 December 20, 2009, and January 25, 2010, while a licensed registered nurse, Respondent used a
20 controlled substance to an extent or in a manner dangerous or injurious to herself, any other
21 person, or the public, or to the extent that such use impaired her ability to conduct with safety to
22 the public the practice authorized by her license.

23 **PRAYER**

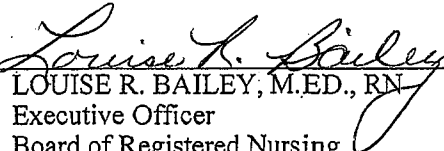
24 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
25 and that following the hearing, the Board of Registered Nursing issue a decision:

26 1. Revoking or suspending Registered Nurse License Number 635955, issued to
27 Christyna Marie Chavarin, also known as Angella Lynn Chavarrin, Angela Thomas, and
28 Christyna Marie Brown;

1 2. Ordering Christyna Marie Chavarin, also known as Angella Lynn Chavarrin, Angela
2 Thomas, and Christyna Marie Brown to pay the Board of Registered Nursing the reasonable costs
3 of the investigation and enforcement of this case, pursuant to Business and Professions Code
4 section 125.3; and,

5 3. Taking such other and further action as deemed necessary and proper.

6 DATED: December 24, 2012


7 LOUISE R. BAILEY, M.ED., RN
8 Executive Officer
9 Board of Registered Nursing
10 Department of Consumer Affairs
11 State of California
12 Complainant

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